

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

JORGE LOPEZ-HENRIQUEZ,

Plaintiff,

v.

DIAMOND FOUNDRY, INC.,

Defendant.

Civ. No. 2:22-CV-04267 (WJM)

ORDER

WILLIAM J. MARTINI, U.S.D.J.:

THIS MATTER comes before the Court on Defendant Diamond Foundry's motion (the "Motion") to dismiss Plaintiff Jorge Lopez-Herniquez's Complaint for lack of subject matter jurisdiction pursuant to Federal Rule of Civil Procedure ("FRCP") 12(b)(1) and failure to state a claim upon which relief can be granted pursuant to FRCP 12(b)(6). ECF No. 14. Alternatively, Defendant moves to compel arbitration pursuant to Section 4 of the Federal Arbitration Act. *See id*; 9 U.S.C. § 4. For the reasons set forth in the accompanying Opinion,

IT IS on this 31st day of October 2022, **ORDERED** that Defendant's Motion to dismiss is **GRANTED**; and

IT IS FURTHER ORDERED that Plaintiff may file within 30 days of the date of this Order an amended complaint that cures the deficiencies noted in the accompanying Opinion. If Plaintiff fails to do so, this matter shall be dismissed with prejudice.

/s/ William J. Martini

WILLIAM J. MARTINI, U.S.D.J.